

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.6442 OF 2006

ORDER:

Heard the Assistant Government Pleader for Irrigation.

The writ petition is filed challenging Award dated 11.11.2005 in I.D.No.49 of 2002 on the file of Labour Court-III, Hyderabad.

Through the Award impugned in the writ petition, the 2nd respondent ordered I.D. as follows:

" In the result, petition is allowed and oral termination of the petitioner amounting to retrenchment shall be set aside and respondent shall reinstate the petitioner as daily wage worker with continuity of service but without back wages and any other benefits. Award shall be implemented after expiry of one month from the date of its publication (i.e.17-A of I.D.Act)."

On 31.03.2006 in WPMP No.8196 of 2006, the following order has been passed:

"Interim suspension of the order dated 11.11.2005 passed in I.D.No.49/2002 by the Industrial Tribunal-cum-Labour Court, Hyderabad subject to compliance of Section 17-A of the I.D. Act."

The 1st respondent/workman died on 11.07.2013. It is submitted that the 1st respondent has not filed writ petition challenging the disallowed portion of Award dated 11.11.2005.

Mr. Eshwar appearing for the petitioners submits that having regard to the limited relief granted by the 2nd respondent and also due to the fact that the 1st respondent has not filed writ petition challenging the Award for back wages etc, the cause in the writ petition does not survive. The statement is placed on record and the writ petition is closed as no further order is necessary. It is made clear that the obligation to pay the wages under Section 17-A of I.D. Act continues till 11.07.2013 and if the amount is not paid by the petitioners to 1st respondent, the petitioners shall pay the back wages to the legal representatives of 1st respondent within six weeks from today. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT, J

Date:10.08.2016
Stp